

**PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
MINUTES
ROSE ROOM: CREEKMORE PARK COMMUNITY CENTER
July 9, 2019 – 5:30 P.M.**

Before calling the meeting to order, Chairman Keesee asked everyone to stand for the Pledge of Allegiance. On roll call, the following commissioners were present: Don Keesee, Richard Morris, Vicki Newton, Kelly Wilson, Ret Taylor, Matt Marshall, Griffin Hanna, Brian Trumbly and Bob Cooper.

Chairman Keesee then called for a motion on the minutes from the June 11, 2019, meeting. Commissioner Cooper moved, seconded by Commissioner Newton, to approve the minutes as written.

Ms. Brenda Andrews spoke on the procedures.

- 1. Cameron Park, Lot 5 – Preliminary Plat– Hawkins-Weir Engineers, Inc.**
- 2. Cameron Park, Lot 5 – Final Plat – Hawkins-Weir Engineers, Inc.**

Chairman Keesee introduced items 1 and 2. Ms. Brenda Andrews read the staff report, indicating the approval of the proposed preliminary and final plats would facilitate a proposed rehabilitation hospital. She indicated the subject property is on the west side of Cameron Park Drive and east of South 74th Street between Rogers Avenue and Phoenix Avenue.

Mr. Jason Casteel was present to represent these applications. There were none present in opposition.

Ms. Andrews stated that staff recommended approval of the preliminary and final plats with the following comments:

- After all required approvals of the plat and the affixing of all required signatures on the original tracing and other copies and associated documents, the plat will be filed with the Sebastian County Clerk.

There being no discussion, Chairman Keesee called for a motion on item 1—the preliminary plat. Commissioner Ret Taylor moved, seconded by Commissioner Vicki Newton, to approve the preliminary plat subject to staff comments. Chairman Keesee called for a vote. The vote was 7 in favor and 1 abstention (Cooper). Chairman Keesee announced the preliminary plat was approved.

Chairman Keesee then called for a motion on item 2—the final plat. Commissioner Matt Marshall moved, seconded by Commissioner Vicki Newton, to approve the final plat with staff comments. Chairman Keesee called for a vote. The vote was 7 in favor and 1 abstention (Cooper). Chairman Keesee announced the final plat was approved.

- 3. Rezoning Application #15-7-19; A request by Crafton Tull & Associates, agent for ERC Create, LLC, for a zone change from Not Zoned to Residential Single Family-Duplex Low/Medium Density (RSD-3) at 7902 Veterans Avenue.**

Chairman Keesee introduced item 3. It was stated that this item was a companion to item 4. Ms. Andrews presented the staff report, stating that the property was located on the west side of Veterans Avenue between McClure Drive and Custer Boulevard, containing 4 acres with approximately 387 feet of street frontage along Veterans Avenue. Ms. Andrews stated the approval of the zoning and preliminary plat would facilitate the development of a residential subdivision consisting of 10 duplexes.

Conner Threet was present to represent this application. There were none in opposition.

There being no further discussion, Chairman Keesee called for a motion. Commissioner Cooper, seconded by Brian Trumbly, moved to approve said zoning, subject to the following:

- Approval of the companion preliminary plat.

The motion passed 8 in favor, 0 opposed.

4. Brookstone Place Lots 1-11 – Preliminary Plat – Crafton Tull & Associates.

Chairman Keesee called for a motion. Commissioner Hanna motioned, seconded by Commissioner Morris, to approve with the following staff comments:

- The developer must agree to meet all franchise and City utility easement requirements.
- The preliminary and final plat must comply with the city's Subdivision Design and Improvement Standards Specifications for Public Works Construction.

Chairman Keesee had a question regarding the property's access points to which Conner Threet clarified. After some discussion regarding access points of the property, Chairman Keesee called for a vote. The vote was 8 in favor and 0 opposed. Chairman Keesee announced the preliminary plat was approved.

5. Rezoning Application #13-7-19; A request by Ron Brixey, agent for J.G. Hudson Properties, L.P., for a zone change from Commercial Light (C-2) to Transitional (T) by extension at 411 & 413 South 18th Street.

6. Development Plan #7-7-19; A request by Ron Brixey, agent for J.G. Hudson Properties, L.P., for a development plan approval for a duplex development at 411 & 413 South 18th Street.

Chairman Keesee introduced items 5 and 6 as companion items. Ms. Maggie Rice presented the staff report, stating the subject properties were located on the east side of South 18th Street between South D Street and South C Street, each containing approximately 0.16 acres with about 50 feet of street frontage along South 18th Street. Ms. Rice indicated the rezoning and development plan would allow for a single duplex to be constructed on two individual lots. She then stated staff recommended approval of the rezoning application contingent on the approval of the companion development plan. Staff also recommended approval of the development plan, contingent to the following:

- Construction complying with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.

Ron Brixey was present to represent these applications. There were none present to speak in opposition.

Chairman Keesee call for a motion on item 5—the rezoning. Commissioner Taylor motioned, seconded by Commissioner Newton, to approve with staff comments. Chairman Keesee called for a vote on the motion. The item passed with 8 in favor and 0 opposed. Chairman Keesee announced the approval of item 5.

Chairman Keesee call for a motion on item 6—the development plan. Commissioner Cooper motioned, seconded by Commissioner Trumbly, to approve with staff comments. Chairman Keesee called for a vote on the motion. The item passed with 8 in favor and 0 opposed. Chairman Keesee announced the approval of item 6.

RECESS PLANNING COMMISSION **CONVENE BOARD OF ZONING ADJUSTMENT**

- 7. Variance #17-7-19; A request by Ron Brixey, agent for Jesse Fenwick, from the perimeter landscape regulations requiring 10 shrubs per 50' linear feet of right of way frontage at 1400 Jacobs Avenue.**

Chairman Keesee introduced items 7, 8 and 9 as companion items. Ms. Rice read the staff report, indicating the 0.89 acre property was located on the southeast corner of the intersection of Ferguson Street and Jacobs Avenue with approximately 136 feet of street frontage along Ingersoll Ave. She stated the variance would eliminate the shrubbery requirement from the perimeter landscaping along the Ingersoll Avenue frontage, due to 8 existing mature trees. Mr. Ron Brixey explained the existing trees hindered potential growth of new shrubbery, proposing that shrubbery possibly be planted in gaps between the trees.

Ms. Rice stated the approval of the companion rezoning and development plan would allow for an eight unit, two story apartment complex to be constructed on the same property as an existing 10 unit apartment building. Staff recommended approval of items 7, 8, and 9.

Ron Brixey was present to speak in representation of these items. There were none present to speak in opposition.

There was much discussion regarding the preference of mature trees to small shrubbery. Commissioner Hanna started discussion centering around the idea of the shrubbery being inessential.

Chairman Keesee called for a motion on item 7—the variance. Commissioner Trumbly, seconded by Commissioner Cooper, motioned to approve as noted. The motion carried with 8 in favor and 0 opposed.

RECESS BOARD OF ZONING ADJUSTMENT
CONVENE PLANNING COMMISSION

- 8. Rezoning Application #12-7-19; A request by Ron Brixey, agent for Jesse Fenwick, from Transitional (T) to Residential Multifamily High-Density (RM-4) by Classification at 1400 Jacobs Avenue.**

Chairman Keesee called for a motion on item 8—the rezoning. Commissioner Marshall motioned, seconded by Commissioner Newton, to approve with staff comments. Chairman Keesee called for a vote. The vote carried with 8 in favor and 0 opposed.

- 9. Development Plan #5-7-19 A request by Ron Brixey, agent for Jesse Fenwick, for a development plan approval for a multi-family development at 1400 Jacobs Avenue.**

Chairman Keesee called for a motion on item 9—the development plan. Giffin Hanna made a motion to approve the development plan with the exclusion of the shrubbery between trees, seconded by Commissioner Taylor. Chairman Keesee called for a vote. The vote carried with 8 in favor and 0 opposed.

RECESS PLANNING COMMISSION
CONVENE BOARD OF ZONING ADJUSTMENT

- 10. Variance #18-7-19; A request by Ron Brixey, agent for Armstrong Bank, for (1) the required minimum parking spaces and (2) the required minimum width of the perimeter / parking lot screening landscape area at 4102 & 4120 Rogers Avenue.**

Chairman Keesee introduced items 10 and 11 as companion items. Ms. Rice presented the staff report. She stated the 2.08 acre property is located on the southwest corner of the intersection of Rogers Avenue and South Albert Pike Avenue. There is approximately 215 feet of street frontage along South Albert Pike Avenue. Ms. Rice indicated the approval of the variance and development plan would allow the redevelopment of the existing property along with the addition of a new bank.

Ron Brixey was present to speak in representation of these items. There were none present to speak in opposition.

After some discussion, Chairman Keesee called for a motion on item 10—the variance. Commissioner Taylor, seconded by Commissioner Cooper, motioned to approve with staff comments. Chairman Keesee called for a vote. The vote carried with 8 in favor and 0 opposed.

RECESS BOARD OF ZONING ADJUSTMENT
CONVENE PLANNING COMMISSION

- 11. Development Plan #6-7-19; A request by Ron Brixey, agent for Armstrong Bank, for a development plan approval for a bank at 4102 & 4120 Rogers Avenue.**

Chairman Keesee called for a motion on item 11—the development plan. Commissioner Taylor, seconded by Commissioner Trumbly, motioned to approve with staff comments. Chairman Keesee called for a vote. The vote carried with 8 in favor and 0 opposed. Approval subject to the following:

- Approval of the companion variance application.
- Construction must comply with the submitted development plan. Changes or amendments to the submitted development plan are permitted but limited to those described in Section 27-329-8 of the UDO. Any changes greater than those described in this section will require Planning Commission approval.

12. Master Land Use Plan Amendment #3-7-19; A request from Brett Abbott, agent for Robert A Young III, from Not Classified to Mixed Use Employment at 6601 Arkansas Highway 45.

Chairman Keesee introduced items 12 and 13 as companion items. Ms. Andrews presented the staff report, stating that the 39.6 acre property is on the east side of Highway 45 and north of Geren Road with approximately 1,320 feet of street frontage along Hwy 45 and 993 feet of street frontage along Geren Road. She indicated the approval of the Master Land Use Plan (MLUP) Amendment and Rezoning Application will facilitate a mixed use development consisting of residential, commercial, retail, and light industrial and mini storage facilities. Staff recommended approval contingent upon the approval of the companion item.

Brett Abbot was present to represent these applications. There were none present in opposition.

Chairman Keesee called for a motion on item 12—the MLUP Amendment. Commissioner Cooper motioned to approve with staff comments, seconded by Commissioner Newton. Chairman Keesee called for a vote. With a vote of 8 in favor and 0 opposed, the motion passed.

13. Rezoning Application #14-7-19; A request from Brett Abbott, agent for Robert A Young, III, for a zone change from Not Zoned to a Planned Zoning District (PZD) at 6601 Arkansas Highway 45.

Staff then recommended approval of the rezoning application contingent upon approval of the companion Master Land Use Plan Amendment application.

Chairman Keesee called for a motion on item 13—the rezoning. Ret Taylor motioned, seconded by Commissioner Trumbly, to approve with staff comments. Chairman Keesee called for a vote. With a vote of 8 in favor and 0 opposed, the motion passed.

Chairman Keesee then call for a motion to elect a Vice Chairman. Vicki Newton, seconded by Bob Cooper, motioned to elect Ret Taylor as Vice Chairman. The vote carried with no opposition.

There being no further business, the meeting adjourned at approximately 6:30 p.m.